

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Angelina Sanchez,

NO. C 08-04062 JW

Plaintiff,

**ORDER VACATING PRELIMINARY
PRETRIAL CONFERENCE**

v.

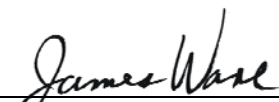
Kellogg USA, Inc.,

Defendant.

On October 26, 2009, the parties are scheduled to appear for a Preliminary Pretrial Conference. Pursuant to the Federal Rules of Civil Procedure and Local Rules of this Court, the parties conferred and duly submitted a Joint Preliminary Pretrial Conference Statement. (hereafter, "Statement," Docket Item No. 27.) In their Statement, the parties represent that Defendant intends to file a motion for summary judgment on or before December 21, 2009 and that they are attempting to resolve the case "informally." (*Id.*) Based on their joint submission, the Court finds good cause to VACATE the Preliminary Pretrial Conference at this time and ORDERS as follows:

- (1) A hearing on Defendants' anticipated motion for summary judgment will be held on **February 8, 2010 at 9 a.m.** All briefing shall be completed on or before **January 15, 2010.**
- (2) The Court will set a new Preliminary Pretrial Conference date in its Order addressing Defendant's anticipated motion for summary judgment.

Dated: October 21, 2009


JAMES WARE
United States District Judge

United States District Court

For the Northern District of California

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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7 **Dated: October 21, 2009**

Richard W. Wieking, Clerk

8
9 **By: /s/ JW Chambers**
10 **Elizabeth Garcia**
11 **Courtroom Deputy**